

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SEAN STOUGHTON,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
SONNENSCHNEIN FINANCIAL)	
SERVICES, INC.,)	
)	
Defendant.)	

PLAINTIFF'S COMPLAINT AND DEMAND FOR JURY TRIAL

SEAN STOUGHTON ("Plaintiff"), through his attorneys, KROHN & MOSS, LTD., alleges the following against SONNENSCHNEIN FINANCIAL SERVICES, INC ("Defendant"):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
4. Defendant conducts business in the state of Illinois, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

6. Plaintiff is a natural person residing in Chicago, Cook County, Illinois, and is obligated or allegedly obligated to pay a debt and is a “consumer” as that term is defined by 15 U.S.C. 1692a(3).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation located in Oakbrook Terrace, Illinois.

9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. Defendant is collecting from Plaintiff on a debt allegedly owed which Plaintiff disputes.

11. On August 9, 2010, Defendant started placing collection calls to Plaintiff from 630-396-2869.

12. In August 2010, Defendant placed eighty-seven (87) collection calls to Plaintiff. *See* redacted call log attached as Exhibit “A.”

13. In September 2010, Defendant placed sixty-six (66) collection calls to Plaintiff. *See* Exhibit “A.”

14. In October 2010, Defendant placed fifty-seven (57) collection calls to Plaintiff. *See* Exhibit “A.”

15. From November 1, 2010 to November 4, 2010, Defendant placed ten (10) collection calls to Plaintiff. *See* Exhibit “A.”

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

16. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff; and
- b. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.

WHEREFORE, Plaintiff, SEAN STOUGHTON, respectfully requests judgment be entered against Defendant, SONNENSCHNEIN FINANCIAL SERVICES, INC., for the following:

17. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, 15

U.S.C. 1692k;

18. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,

15 U.S.C. 1692k; and

19. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED.

By: /s/ Adam T. Hill
Adam T. Hill
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DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, SEAN STOUGHTON, demands a jury trial in this case.

COUNTY OF COOK)

Plaintiff, SEAN STOUGHTON, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, SEAN STOUGHTON, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

12/6/2010
Date


SEAN STOUGHTON